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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,904	03/22/2004	Dennis Bushmitch	MATI-235US	1935
23122 7590 04/12/2007 RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			EXAMINER RAMAKRISHNAIAH, MELUR	
			ART UNIT 2614	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/805,904

Applicant(s)

BUSHMITCH ET AL.

Examiner

Melur Ramakrishnaiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3-22-04/8-12-2005</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1, 4-7, 8-10, 12-14, 16-17, 18-22 are rejected under 35 U.S.C 102(e) as being anticipated by Hunter et al. (US2003/0231746, filed 6-14-2002, hereinafter Hunter).

Regarding claim 1, Hunter discloses a method of disseminating information associated with active conference participant to conference participants in a conference system, the conference system including connection between a conference bridge (140, fig. 1) and two or more participant locations (110 ... 120, fig. 1), each participant location having one or more conference participants, at least one of the conference participants having a contention to a data network (130, such as CDMA or TDMA, paragraphs: 0011-0012), the method comprising the steps of: associating conference participants with participant information, identifying an active participants supplying data to the conference bridge for broadcast to the other conference participants, and transferring at least a portion of the participant information associated with the active participant over a data network to at least one of the conference participants having a

connection to the data network substantially concurrent with broadcast of supplied data (paragraphs: 0011 – 0012; 0017 – 0018; 0031-0034).

Regarding claim 18, Hunter discloses a conferencing method in which participant information associated with active conference participants in a conference call is disseminated to conference participants, the method comprising the steps of: establishing connections between a conference bridge (140, fig. 1) and two or more participant locations (110 ... 120 fig. 1), each participant location having one or more conference participants, at least one conference participant having a connection to a data network (such as CDMA, TDMA, paragraph: 0011 – 0012), associating the conference participants with participant information including personal information and location information, identifying an active participant supplying data to the conference bridge for broadcast to other conference participants at a particular time, transmitting at least a portion of the personal information associated with active participant, using the location information associated with the conference participants, over the data network to one or more of the participants substantially concurrent with broadcast of data supplied at the particular time by the conference bridge (paragraphs: 0011 – 0012; 0017 – 0018; 0031-0034).

Regarding claims 4-7, 8-10, 12-14, 16-17, 19-22, Hunter further teaches the following: identifying at least one biometric characteristic (for example voice) of a new conference participant, receiving participant information associated with the new conference participant from the new conference participant, initially associating the new conference participant with the participant information based at least in part on the

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biometric characteristic of the conference participant and the participant information received from the conference participant and, thereafter, associating the conference participant with the participant information responsive to the biometric characteristic of the conference participant, receiving the participant information from the conference participants via the conference bridge (140, fig. 1) and associating the conference participants with the participant information received via conference bridge (paragraphs: 0025 – 0026; 0029), conference participants are connected to ports of the bridge and wherein the step of associating the conference participants with the participant information received via the conference bridge comprises step of: associating conference participants with participant information based on the port to which each conference participant is connected, each conference participant accesses the conference bridge using a unique port and wherein identifying comprises the step of: identifying the active participant based on the receipt of data at the port of the conference bridge accessed by active conference participant (connecting conference participants to port numbers of conference bridge is implicit in as much as the reference teaches conference bridge 140 to which conference participants are connected to obtain identity information of them; paragraphs: 0023 - 0028), receiving at least one biometric characteristic from each conference participant when establishing connections to the conference bridge, wherein identifying step comprises identifying active conference participants based on at least in part on the biometric characteristic, storing at least one biometric characteristic during an initial conference in use in identifying step during subsequent conferences (paragraphs: 0025 – 0026), receiving a respective aural

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biometric characteristic from each conference participant when establishing connections to the conference bridge (140, fig. 1), and wherein identifying step comprises identifying the active participant based on at least in part on the respective aural biometric characteristic (paragraphs: 0022 – 0026), storing the data supplied by the identified active conference participant along with at least a portion of the participant information of the identified active conference participant, developing a profile for each one or more conference participants, and selecting the portion of the participant to pass to each of the one or more conference participants responsive to their developed profiles (paragraphs: 0025 – 0026; 0034), identifying the active conference participant supplying data to the conference bridge for broadcast to other conference participants at a particular time, and wherein transmitting step comprises the steps of; transmitting the participant information substantially concurrent with the broadcast of the data supplied at the particular time by the conference bridge (paragraphs: 0030 – 0034), receiving communication from a first conference participant via the data network (such as CDMA, TDMA, paragraph: 0011), selectively distributing the communications to one or more conference participants, receiving one or more commands via the data network, the one or more commands associated with one or more conference specific details, and selectively distributing information to the one or more conference specific details to one or more conference participants responsive to one or more commands (paragraphs: 0017 - 0018).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Cope et al. (US PAT: 6,978,002, filed 5-13-2003, hereinafter Cope)/

Hunter differs from claim 2 in that although he teaches: receiving participant information corresponding to the one or more participants from new participant location over the data network, associating the one or more participants from the new participant location with the participant information responsive to the conference bridge contact and participant information from the new participant location (paragraphs: 0022 – 0026), he does not specifically teach: passing conference bridge identifier to a new participant location, the conference bridge identifier corresponding to one ore more participants at the new participant location, receiving the conference bridge identifier for connecting to the conference bridge.

However, Cope discloses dynamic routing for telephone conference call which teaches: passing conference bridge identifier (reads on conference identifier) to a new participant location, the conference bridge identifier corresponding to one ore more participants at the new participant location, receiving the conference bridge identifier for connecting to the conference bridge (col. 5 lines 16-37; fig. 7).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Hunter's system to provide for the following: passing conference bridge identifier to a new participant location, the conference bridge identifier corresponding to one or more participants at the new participant location, receiving the conference bridge identifier for connecting to the conference bridge as this arrangement would facilitate the conference participant to be connected to the right conference system based on conference identifier provided by the participant as taught by Cope.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Cope as applied to claim 2 above, and further in view of Henrikson et al. (US PAT: 6,870,916, filed 9-14-2001, hereinafter Henrikson).

The combination differs from claim 3 in that although it teaches receiving participant information and the conference bridge identifier over a data network by conference participants (col. 5 lines 16-37 of '002), it does not teach website to receive conference related information.

However, Henrikson discloses targeted and intelligent multimedia conference establishment services which teaches using web page interface to receive information for conference provisioning (col. 4 lines 51-64).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: website to receive conference related information as this arrangement would provide one method, among many possible methods, for receiving information as is well known in the art.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Agraharam et al. (US PAT: 6,377,995, hereinafter Agraharam).

Hunter differs from claim 11 in that he does not specifically teach: receiving a respective visual biometric characteristic from each conference participant when establishing connections to the conference bridge, and wherein identifying step comprises identifying the active participant based on at least in part on the respective visual biometric characteristic.

However, Agraharam discloses indexing multimedia communications which teaches the following: receiving a respective visual biometric characteristic from each conference participant when establishing connections to the conference bridge (reads on 20, fig. 1), and wherein identifying step comprises identifying the active participant based on at least in part on the respective visual biometric characteristic (col. 5 lines 26-51; col. 9 lines 9-21 and claim 13).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Hunter's system to provide for the following: receiving a respective visual biometric characteristic from each conference participant when establishing connections to the conference bridge, and wherein identifying step comprises identifying the active participant based on at least in part on the respective visual biometric characteristic as this arrangement would provide identifying the conference participants more reliably for further application as taught by Agraharam (col. 9 lines 19-21).

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Yoakum et al. (US PAT: 7,139,797, filed 4-10-2002, hereinafter Yoakum).

Hunter differs from claim 15 in that he discloses transmitting at least a portion of the participant information in accordance with communication protocols (paragraph: 0017-0018), he does not teach using Session Initiation protocol (SIP) Instant messaging (IM) system.

However, Yoakum suggests use of Session Initiation protocol (SIP) Instant messaging (IM) system to facilitate communications (col. 13 lines 62-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Hunter's system to provide for the following: using Session Initiation protocol (SIP) Instant messaging (IM) system as this arrangement would provide well known protocols to facilitate communications as taught by Yoakum.

8. Claims 23-26, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Eisenberg (US2002/0118809).

Regarding claim 23, Hunter discloses a conference apparatus (140, fig. 1) for disseminating information associated with active participant to conference participants in a conference system, at least one conference participant having data connection to a data network (such as CDMA, RDMA, paragraphs: 0011-0012), the apparatus comprising: a conference bridge (140, fig. 1) configured to broadcast data from active participant (110 ... 120, fig. 1) to other participants (110 ... 120, fig. 1), a conference enhancement system (reads on ASR, fig. 1) configured for use with system and the conference bridge (140, fig. 1), the conference enhancement system to configured to

associate one or more of the conference participants with participant information, identify an active participant supplying data to the conference bridge for broadcast to the other conference participants, and transmit at least a portion of the participant information associated with the active conference participant over the data network to one or more of the conference participants substantially concurrent with the broadcast data (paragraphs: 0011 – 0012; 0017 – 0018; 0031-0034).

Hunter differs from claim 23 in that he does not teach the following: an instant messaging system configured for communication with at least one conference participant having a data connection over the data network.

However, Eisenberg discloses initiation and support of video conference using instant messaging which teaches the following: an instant messaging system configured for communication with at least one conference participant having a data connection over the data network (paragraphs: 0023 – 0024).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Hunter's system to provide for the following: an instant messaging system configured for communication with at least one conference participant having a data connection over the data network as this arrangement would provide another well known means for setting up conference so that participants can participate in a conference as taught by Eisenberg.

Regarding claims 24-26, Hunter further teaches the following: conference enhancement system (reads on 150, fig. 1) is configured to identify the active conference participant based on biometric characteristics (such as voice) associated

with active conference participant (paragraphs: 0020-0026), : conference enhancement system (reads on 150, fig. 1) is configured to identify the active conference participant based on port identifier associated with a port of the conference bridge through which the active conference participant supplies data to the conference bridge (identifying conference participants to port numbers of conference bridge is implicit in as much as the reference teaches conference bridge 140 to which conference participants are connected to obtain identity information of them and further port numbers are allocated to each conference participant as is well known in the art ; paragraphs: 0023 - 0028), conference enhancement system is configured to maintain user profile for one or more conference participants for use when transmitting the at least a portion of the participant information to conference participants (paragraphs: 0025 – 0026).

9. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Eisenberg as applied to claim 23 above, and further in view of Agraharam.

The combination differs from claims 27-28 in that although it teaches use of instant messaging for participate in a conference (see abstract of '809), it does not teach: conference enhancement is configured to maintain a database of data broadcast from the conference bridge and participant information associated with the active conference participant, conference enhancement is configured to maintain a database of data broadcast information for prior conference participants, and associated biometric information for use in subsequent conferences.

However, Agraharam teaches the following: conference enhancement is configured to maintain a database of data broadcast from the conference bridge and participant information associated with the active conference participant, conference enhancement is configured to maintain a database of data broadcast information for prior conference participants, and associated biometric information for use in subsequent conferences (col. 3, line 52 – col. 4, line 47).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: conference enhancement is configured to maintain a database of data broadcast from the conference bridge and participant information associated with the active conference participant, conference enhancement is configured to maintain a database of data broadcast information for prior conference participants, and associated biometric information for use in subsequent conferences as this arrangement would facilitate to keep record of conference participants and their conference exchange information for subsequent use as taught by Agraharam.

10. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Eisenberg as applied to claim 23 above, and further in view of Yoakum.

The combination differs from claim 29 in that it does not teach: the instant message (IM) system is a session initiation protocol (SIP) IM system

However, Yoakum suggests the instant message (IM) system is a session initiation protocol (SIP) IM system (col. 13 lines 62-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Hunter's system to provide for the following: the instant message (IM) system is a session initiation protocol (SIP) IM system as this arrangement would provide well known protocols to facilitate communications as taught by Yoakum.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2614